

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action mailed April 17, 2008 has been received and its contents carefully reviewed.

Claims 1, 2, 6, 7, 9, 12, 13, 15, 16, 18, 20, 22, 24, 25, 27-29, 32, 34, 36, 38 and 39 are amended. No new matter is added. Claims 3, 4, 5, 8, 10, 11, 14, 17, 19, 21, 23, 26, 30, 31, 33, 35, 37 and 40-74 are canceled herein without prejudice to or disclaimer of the subject matter contained therein. Accordingly, claims 1, 2, 6, 7, 9, 12, 13, 15, 16, 18, 20, 22, 24, 25, 27-29, 32, 34, 36, 38 and 39 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

References made herein to the specification, are made with respect to the published patent application, US Patent Application Publication US 2007/0130278, published June 7, 2007.

The Office rejects claims 1-74 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. *Office Action at ¶2.* Claims 3, 4, 5, 8, 10, 11, 14, 17, 19, 21, 23, 26, 30, 31, 33, 35, 37 and 40-74 are cancelled herein, accordingly, the rejection of these claims is moot. The claims have been amended to clarify the scope of the invention. Applicants therefore respectfully request withdrawal of the 35 U.S.C. § 112, second paragraph rejection of claims 1-74.

The Office rejects claims 1-2, 4/1, 4/2, 6-7, 9, 11-12, and 16 under 35 U.S.C. § 102(e) as being unpatentable by U.S. Published Patent Application No. 2002/0103898 to Moyer (hereinafter "Moyer"). *Office Action at ¶4.* Applicants respectfully traverse the rejection request and reconsideration.

Moyer fails to describe, either expressly or inherently, at least:

- a network device ... storing a message,
- wherein the message is defined as one of a plurality of a predetermined message types,
- wherein each predetermined message type has a plurality of parameters and is comprised of at least:
 - a product code unit of ~~the~~ a corresponding home appliance,

a message code unit for notifying a transmission/reception direction of the message,
parameter units defining the message, and
a number unit corresponding to the number of parameter units.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131 (quoting *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987)).

Moyer relates to SIP messages for remote control of a Networked Appliance with a home. *Moyer* at ¶ 0101. In one example, a user agent located in stan.home.net has been registered with stan.home.net and that information has been propagated to home.net. The message below is an example of a message between the PC and the outbound proxy co.com.

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DO sip:[d=lamp,r=bedroom,u=stanm]@home.net SIP/2.0
From: sip:stan@co.com
To: sip:[d=lamp,r=bedroom,u=stanm]@home.net
Via: SIP/2.0/UDP anypc.co.com
Content-function: render
Content-type: application/dmp
<command><tum>On</turn></command>
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Moyer does not describe, either expressly or inherently, each and every element found in claim 1. Accordingly, claim 1 is patentably distinguishable over *Moyer* and Applicants respectfully request the Office to withdraw the 35 U.S.C. § 102(e) rejection of claim 1. The rejection of claims 4/1, 4/2 and 11 is moot as claims 4 and 11 are canceled herein. Claims 2, 6-7, 9, 12, and 16 depend variously from claim 1. It stands to reason that the rejection of those claims should also be withdrawn.

The Office rejects claims 3, 4/3, 10/1, 10/9, and 39 under 35 U.S.C. § 103(a) as being unpatentable over Moyer. *Office Action* at ¶6.

The rejection of claims 3, 4/3, 10/1 and 10/9 is moot as claims 3, 4/3, 10/1 and 10/9 are canceled herein. For at least the same reasons as stated above, *Moyer* fails to teach or suggest each and every element of independent claim 1, from which claim 39 depends. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 39.

The Office rejects claims 5 and 8/6 under 35 U.S.C. § 103(a) as being unpatentable over Moyer in view of U.S. Patent No. 7,062,531 to Kim (hereinafter “Kim”). *Office Action* at ¶7.

The rejection of claims 5 and 8/6 is moot as claims 5 and 8 are canceled herein.

The Office rejects claims 13-14, 15/13, 15/14, 17-23, 24/22, 24/23, 25-26, 27/25, 27/26, 28/25, 28/26, 31-37, 38/36, and 38/37 under 35 U.S.C. § 103(a) as being unpatentable over Moyer in view of U.S. Published Patent Application No. 2004/0243684 to Ha (hereinafter “Ha”). *Office Action* at ¶8.

The rejection of claims 14, 15/14, 17, 19, 21, 23, 24/23, 26, 27/26, 28/26, 31, 33, 35, 37 and 38/37 is moot as claims 14, 15, 17, 19, 21, 23, 24, 26, 27, 28, 31, 33, 35, 37 and 38 are canceled herein. For at least the same reasons as stated above, *Moyer* fails to teach or suggest each and every element of independent claim 1, from which claims 13-14, 15/13, 15/14, 17-23, 24/22, 25-26, 27/25, 28/25, 31-37 and 38/36 ultimately depend. *Ha* fails to cure the deficiencies of *Moyer*. In fact, *Ha* was cited only for a purported teaching of a “user ID”, an “event code presented in 1 byte”, “an argument unit having a variable number of bits”, “the number of bits in the argument is determined in the command code”, and an “argument ARG having a variable number of bits”. *Office Action* at ¶7. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 13, 15/13, 18, 20, 21, 24/22, 25, 27/25, 28/25, 32, 34, 36 and 38/36.

The Office rejects claims 29/25, 29/26, and 30 under 35 U.S.C. § 103(a) as being unpatentable over Moyer in view of Ha and further in view of U.S. Patent No. 6,415,313 to Yamada et al. (hereinafter “Yamada”). *Office Action* at ¶ 9.

The rejection of claims 29/26 and 30 is moot as claims 26 and 30 are canceled herein. For at least the same reasons as stated above, *Moyer* in view of *Ha* fails to teach or suggest each and every element of independent claim 1, from which claim 29/25 ultimately depends. *Yamada* fails to cure the deficiencies of *Moyer* and *Ha*. In fact, *Yamada* was cited only for a purported teaching of a “language unit for displaying a kind of language”. *Office Action* at ¶ 7. Accordingly, Applicants respectfully request withdrawal of the rejection of claim 29/25.

The Office states “[r]egarding claims 42-74, please see the rejection as stated in claims 2-39. *Office Action* at p. 22. The rejection of claims 42-74 is moot as claims 42-74 are canceled herein.

CONCLUSION

The application is in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: August 18, 2008

Respectfully submitted,

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